

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

_____)	
In the Matter of)	
)	
Amendment of Part 22 of the Commission's)	
Rules to Benefit the Consumers of)	WT Docket No. 03-103
Air-Ground Telecommunications Services)	
)	
Biennial Regulatory Review – Amendment)	
of Parts 1, 22, and 90 of the Commission's)	
Rules)	
)	
Application of Verizon Airfone Inc. for)	File No. 0001716212
Renewal of 800 MHz Air-Ground)	
Radiotelephone License, Call Sign)	
KNKG804)	

**COMMENTS ON PETITIONS FOR CLARIFICATION AND
RECONSIDERATION**

LiveTV, Inc. (“LiveTV”), pursuant to Sections 1.429(f) and 1.4(b) of the Commission’s rules,¹ hereby comments on the Petition for Partial Reconsideration of AirCell, Inc. and the Petition for Clarification and Reconsideration of Space Data Corporation (the “Petitions”) filed in the Commission’s docket adopting new service rules for the four MHz of dedicated spectrum in the 800 MHz band for commercial air-to-ground (“ATG”) service.² LiveTV, the leading provider of innovative, low-cost in-flight entertainment products and services to commercial aircraft markets worldwide, urges the Commission to review the merits of the Petitions quickly so that the spectrum at

¹ 47 C.F.R. §§ 1.4(b), 1.429(f) (2004).

² Petition for Partial Reconsideration of AirCell, Inc. in WT Docket No. 03-103, filed May 13, 2005; Petition for Clarification and Reconsideration of Space Data Corporation in WT Docket No. 03-103, filed May 13, 2005.

issue can be auctioned and used to provide new and expanded service offerings to commercial aircraft customers throughout the United States.

I. LIVETV PROVIDES REAL-TIME VIDEO AND AUDIO SERVICES TO COMMERCIAL AIRLINERS

LiveTV, headquartered in Melbourne, Florida, was the first commercial provider of satellite television on commercial aircraft. Since 2000 when LiveTV's service first premiered on two airlines, LiveTV has rapidly expanded and now provides service to three U.S.-based airlines and two international airlines, serving over 200 aircraft with almost 15,000 seats. In the next five years LiveTV anticipates expanding its services to reach nearly 700 aircraft. LiveTV products and services currently available include real-time audio and video entertainment delivered to seatback screens, a real-time mapping program available to passengers, CruiseView weather, which provides real-time weather information to pilots, and the Wireless Aircraft Data Link System ("WADL"), which allows aircraft on the ground to communicate wirelessly with airport base stations and LiveTV's Control Center.

LiveTV was the first company to offer live satellite television services and is the first and only company to provide live satellite-delivered radio to U.S. airlines. Through partnerships with DirecTV and XM Radio, LiveTV can deliver thirty-six live channels of video and over 100 channels of live audio to airline passengers. In addition to its live offerings, LiveTV can also provide stored audio and video content. As an in-seat service, each passenger on a LiveTV equipped aircraft can individually choose from a vast array of live and stored entertainment options. LiveTV is the only company approved by the Motion Picture Association of America to distribute first-run movies to aircraft wirelessly.

In addition to entertainment services, LiveTV currently offers a real-time cockpit weather product, CruiseView, using its existing satellite reception capability. This system places at pilots' fingertips a wealth of information regarding current weather patterns as well as forecasts that can assist in flight path development and enhance passenger and crew safety and comfort. Airline companies concerned with safety can also utilize LiveTV's Cabin Surveillance system, which allows pilots to have real-time views of the passenger cabins of their aircraft. LiveTV's Cabin Surveillance system is currently installed on all JetBlue Airways aircraft.

As part of its WADL System, LiveTV has also installed 802.11 wireless capability in all their television-equipped aircraft. This system allows aircraft immediately upon landing to establish wireless connections to both an airport base station and to LiveTV's Control Center. These connections allow the nearly instantaneous transfer of maintenance and airport services information and passenger billing information. From LiveTV's central Control Center, WADL can also deliver updated stored entertainment content, including special events and new movies, to aircraft each time they land at one of seven WADL equipped airports.

II. LIVETV PLANS TO USE ATG SPECTRUM TO PROVIDE TIME-SENSITIVE COMMUNICATIONS OFFERINGS TO AIRLINE CUSTOMERS

LiveTV offers its services to airlines as a total turnkey business solution by taking care of all the operational requirements necessary to bring these services to the traveling public. LiveTV provides system design and installation services, content delivery, and system maintenance. Accordingly, LiveTV already has in place a network of engineering, aircraft certification, installation and field maintenance systems that will allow it rapidly to implement new service offerings.

While LiveTV has a thriving business with its current service offerings, LiveTV is always looking ahead to see how it can offer more value to its airline customers. One area of potential expansion would require the use of spectrum, such as the ATG spectrum, to allow the transmission of time-sensitive communications. For example, in the future, LiveTV intends to offer expanded services such as aircraft diagnostic information over WADL. While WADL is already extremely useful for the transfer of time-insensitive information to and from aircraft on the ground, this network does not provide a method for two-way real-time data transfers while an aircraft is airborne. With access to spectrum, LiveTV could expand its network services to include upgraded safety systems, such as the capability to provide real-time aircraft diagnostic information to ground stations, and enhanced passenger entertainment offerings.

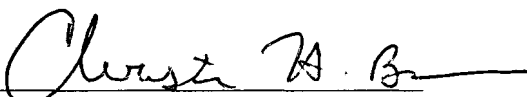
LiveTV has extensive experience in bringing new concepts to the market, and its ability to take advantage of the full range of possibilities presented by the new ATG service rules will help to bring these advanced services to the market as quickly as possible. Building naturally from its existing lists of customers and services, LiveTV will be pursuing the use of ATG spectrum in an evolutionary path of added services and, accordingly, will be able to make immediate use of any available spectrum. Whether through purchase at auction, through spectrum leasing, or through a secondary market disaggregation or partitioning transaction, the use of ATG spectrum can provide LiveTV with an opportunity to expand its service offerings to provide additional passenger and airline services.

III. LIVETV URGES THE COMMISSION TO AUCTION THE ATG SPECTRUM SOON

As with any other commercial business offering, time to market will be crucial to the success of business plans built around ATG spectrum. Technology is always changing, and plans that might be viable today may be obsolete tomorrow. Accordingly, it is vitally important that the Commission resolve the Petitions swiftly and auction the ATG spectrum soon.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Laurel Starkey, a secretary at Dow, Lohnes & Albertson, PLLC, hereby certify that a true and correct copy of the foregoing "Comments on Petitions for Clarification and Reconsideration" was sent on this 16th day of June, 2005, via first-class United States mail, postage pre-paid, to the following:

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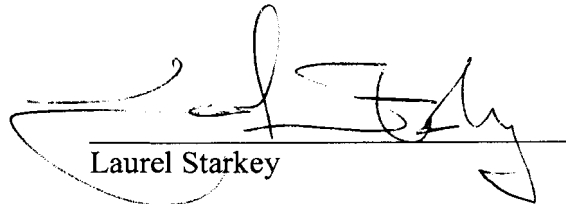
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